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TELLING CARTER WHAT TO DO

(Continued from Page 1.)

fact that the legislature passed them, I don't believe there is any power in the governor or anyone else to draw money under the old appropriation bills. For that reason I believe it is necessary to call an extra session of the legislature to pass appropriations."

"Have you any suggestions as to what is to be done until the legislature does meet and act?" asked Carter. "It was necessary to order some work yesterday for which payment must be made."

TAKE THE BULL BY THE HORNS.

"In that regard I would simply say take the bull by the horns, as executive, and get the work done. The principal objection to calling the legislature is that we don't know where it will wind up. We have to take chances. It is necessary to have appropriations for running expenses. As to whether a County Act can be drafted not in conflict with the Organic Act, I believe one can be passed. We have learned some law and a lot of practical lessons. Defects have been found which could only be discovered by putting a law in operation. The next one will be an improvement not only in legal but in practical matters."

R. W. Breckons was called on and said that Robertson had nearly expressed his views, adding a further suggestion as to procedure. "The attorney general has probably looked into this section," he said. "In his opinion the appropriations of the former legislature are in force then you are justified in proceeding on that theory, as he is the legal adviser. If anyone objects the matter will be tested, if not, things will run smoothly. I am not in favor of

Our rule is to treat all patrons alike—giving the small customer and the large the same courteous service. If you want a 50c safe deposit box, or a large or small insurance policy, or a surety bond, of any sort or size, we'll serve you gladly. Henry Waterhouse Trust Company, Ltd., corner Fort and Merchant Sts.

calling the legislature if the Organic Act carries over the appropriations of the last year.

BRECKONS' STAR OF HOPE.

"I think that a county act can be drafted, or three or four bills covering the matter. Sooner or later I think we are bound to have it. Any method of procedure that leaves it in doubt is in my judgment dangerous. Any idea of delay that is unnecessary is dangerous. There are people here who cry for it and people in Washington who think it is a remedy for some supposed evils here. If we don't provide it I think Congress will do so and in a shape perhaps that will not be pleasant."

W. O. Smith said that his idea was to urge the passage of the bill now pending before Congress, ratifying the county act. "One of the difficulties has now come which was discerned when Mr. Hatch was sent to Washington," he said. "The act now pending is a very simple one, providing that our county act be approved. It is a very simple and direct way out of the difficulties. We have had two decisions of the Supreme Court and are much in the dark as to what kind of an act will be regarded as valid by our supreme court. It seems to me to be a matter of regret that the court could not have passed on the other questions. There are questions remaining and we might be several years passing acts before we got one that would stand. The simple and direct remedy is to go to Congress."

CONGRESS WILL ACT.

Carter wanted to know how about appropriations in the meantime. "I believe that within two or three weeks Congress will act," said W. O. Smith. "In the meantime let the territorial government take charge and do whatever things are necessary, spending only what is necessary." The speaker also called attention to difficulties in connection with the criminal law, which were involved in the plan of appealing from the supreme court.

T. McCants Stewart was called on next. He favored moving on Congress at once. "If the plan mapped out in the first place by the administration and its advisers had been carried out we should not now be in this difficulty," said he. "In line with the original policy we had better make an appeal to Congress, asking Congress to pass the act as it stands. I should also ask for the passage of the Long municipal bill. 'No citizen will go further than I in demanding and trying to have honest and efficient government. But if I found from any cause that our government became dishonest or inefficient or corrupt, I should be as ready as any to say let us have a change and give us, say, a government like the District of Columbia. But until we have given the matter to the people and have honestly tried I think any form of indirectness in dealing with local self-government is unsafe.' As to the appropriations Stewart didn't think the legislature had failed to pass them, but that it had made appropriations.

CONDITION, NOT SERIOUS.

Henry E. Cooper when called on said that he didn't regard the situation as serious. "There is no reason either for an extra session of the legislature or an

appeal to Congress," he said. "You as executive had doubts about spending loan bill appropriations because some of them were regarded by you as county items. That doubt is now removed and you are able to go ahead. As to current expenses I think the legislature has failed to pass the appropriations. It had no right to delegate its authority in passing them to the counties. A special session of the legislature was called for the purpose of passing appropriations, and I believe that the appropriations of 1901 are now in force."

OUR OWN SALVATION.

"There is no necessity for an appeal to Congress. We can work out our own salvation. I believe a county act can be passed in accordance with the Organic Act. It cannot be done in a moment, but can be presented to the next legislature. I do not regard the situation as at all serious."

W. R. Farrington said that he believed that the best way was to appeal to Congress. He didn't like the idea of saying that Hawaii could not pass an act, but some of the best talent in the country had been employed on it. As to current finances the best way was to follow Robertson's suggestion and take the bull by the horns.

Frank L. Hoogs declined to express any opinion on a matter so tied up with legal points.

L. A. Thurston, agreeing with ex-Governor Dole and H. E. Cooper as to the points they discussed, also spoke on the decision and on the general advisability of starting county government. "I think the supreme court failed in its duty," he said. "In leaving the other points set forth all unsettled. Of course it had a perfect right to decide the case on one point and end there, but under the conditions it might have gone further and given a decision on all points, so that if we pass a new act, the court could not draw another point from its pocket and decide the act void on grounds which might have been passed on now."

MANY STAMPEDED.

"There is also the question of whether we want any county government. Many people here were stampeded into thinking they wanted it. The cry was that it did and therefore they agreed. It was my belief before and after annexation and is now that our country and its electorate are not such as should be given the full powers of New England local self-government. There the elective franchise has been exercised for over a hundred years, during which the people have had self-governing communities. Without speaking derogatorily, our electorate is nothing like that. The people here have never had to do with the election of their rulers except in the legislature, and did not even control the legislature. Under the Republic property and educational qualifications excluded the great majority of the electorate of today. At one fell swoop we propose to bring the full Anglo-Saxon system, and we expect to get along as if we were an American community. We try to do at one step that which has grown up in hundreds of years elsewhere. I believe that it is best to go by slow advances by stages, giving more and more self-government, rather than forcing a county act—giving an opportunity to grow, rather than taking a jump."

E. D. Tenney thought efforts ought to be made to get congress to ratify our present county act.

Fred Wundenberg said he was opposed to county government, though it was possible we would have to have it. He did not believe there was any need of calling a special session of the legislature.

John F. Colburn said he was opposed to county government and he believed a majority of the people were. He did not want any special session of the legislature, nor any action by congress.

P. W. Macfarlane thought as a business proposition that it was clear that the governor had a right to go ahead on the old appropriations, and he believed the business community would support him in it and so would the people.

Governor Carter jokingly responded that "the case with which Mr. Macfarlane passes the buck is an indication of his success as a business man."

LAUKA GIVES HIS VIEWS.

Curtis Lauken said he was an advocate of county government, and he believed that he could say the Hawaiians were. Not because it was the best government under all the circumstances, but because it was something that had been given them by the United States in place of their nationality and independence, which had been taken away from them. He believed, however, that the governor should go ahead on the old appropriations, and that it would not be wise to call the present legislature together in special session.

In bringing the meeting to a close Governor Carter thanked those who had attended, and asked all senators and representatives to meet him for conference this afternoon, saying that he had not asked any of them to address this meeting, because he desired to have a conference with them later.

There was applause when the governor in courteous phrase closed the meeting.

believed met the situation. That was the provision in Section 54, that when the legislature failed to make appropriations for the current expenses and legal obligations of the territory, the previous appropriations continued. He took it that this meant that when from any cause the legislature failed to make legal appropriations, this emergency arose, and the remedy for the emergency came into action. He knew that some lawyers had expressed the opinion that this provision did not apply. But the matter could be speedily settled. Within twenty-four hours, a quo warranto case could be presented to test the question.

Congress has officially, in behalf of the Territory, been asked to ratify the County Act. To call the Legislature to enact another County Act while the bill to ratify the act of the last session is pending would be so manifestly inappropriate that no one would think of it, unless Congress were now requested not to take action on the pending measure.

It is extremely doubtful whether any county act such as would meet the views of the majority in the Legislature could be passed which would not conflict with some of the requirements of the Organic Act.

Either we must await the action of Congress, or else take ample time for passing a bill such as will be most likely to conform to the Organic Act, meanwhile working on such appropriations as are legally available for the emergency.

AGAINST A SPECIAL SESSION.

J. A. McCandless spoke briefly approving the suggestion of P. C. Jones that the Bar Association be asked to draft a county act. He did not approve calling the legislature in special session.

George W. Smith believed the time had passed when there was any room for a discussion in a meeting of this sort on the question of a county act or not. The community was committed to it. He did not believe there need be a special session of the legislature until after it had been seen what congress would do, and whether the old appropriations are available or not.

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HITS POLICE VERY HARD

The overthrow of the County Act will probably hit the police department a hard blow. It will be a case of the blow that almost killed father. Unless of course the legislature is called and the appropriations of 1903 are again made for the department. If the department goes back under the appropriations of 1901 then there will be great consternation among the members of the police force. There will be great anxiety in all departments of the local police now until this matter will have been settled.

High Sheriff Brown succeeded in getting a number of men added to the police force and also in having the salaries of numerous men on the force raised by the last legislature. Those appropriations and additions by the legislature of 1903 were made however with the idea of being under County Government. If however it is decided by Governor Carter not to call a special session of the legislature but to let the appropriations of 1901 which were made for the former Territorial form of government stand, then none of the benefits that the High Sheriff secured for his men can be enjoyed by them.

With the appropriations of 1901 in force it will necessitate six men from the patrol watches being dropped, six mounted police officers being discharged one less clerk, one less turnkey, one less wagon driver and one less detective. Where the salaries of the captains are now \$90 their incomes will be reduced to \$75 a month while the patrolman will be cut from \$75 to \$60 and the mounted men from \$100 to \$90 a month. There will also be other changes and reductions.

With the prospects of discharge staring sixteen of the force in the face

the situation naturally a very unpleasant one to members of the police department. There will be no relief however from the dilemma if the old appropriations are to be resumed. No, until the legislature meets a year from February can anything be done towards relieving the situation.

MAY NOT SEE MARUS FOR A LONG TIME

Probably the most significant evidence of the almost certainty of war between Russia and Japan was announced this morning in the cable dispatches. This was the news that the Japanese government had requisitioned the San Francisco fleet of the Toyo Kisen Kaisha line as government transports. The Hongkong Maru, America Maru and Nippon Maru are to be taken as transports by the Japanese. Aside from indicating that Japan is about ready to begin the attack on Russia this news is of special interest to Honolulu people as it means that there will probably be a material curtailment of the mail service to and from the Coast and the Orient.

What makes the requisition of the three vessels significant and indicative of the proximity of war is the fact that unless conditions had not reached the stage where practically nothing could prevent war, the Japanese government would hardly cause such a serious blow to fall on one of the most prosperous of its merchant marine lines. The Toyo Kisen Kaisha's San Francisco line is one of the most profitable as well as one of the most efficient of the Japanese merchant marine and it can well be regarded with pride. Did not the exigencies of war demand the immediate use of the vessels of that line, it is certain that the service would not be entirely disturbed. Japan is evidently determined upon prompt and immediate action, however, and as war dominates all other conditions, so the merchant marine will have to be sacrificed.

At the present time every one of the three vessels is at sea. The Hongkong Maru is the closest in touch to Japan and will in all probability be in Nagasaki today. She is due at that place tomorrow from Shanghai, but in all probability will be in Nagasaki today. It is now thought that she will not sail from Yokohama January 20 bound for Honolulu and San Francisco, as the Japanese government will in all probability hold her in that country and at once set to work converting her into a transport or auxiliary cruiser.

The Nippon Maru is likely to be the second vessel seized by the Japs. She left Honolulu January 6, bound for Yokohama. She is due in Yokohama January 18 and is likely to arrive the day previous, Sunday. The America Maru is now between here and San Francisco. She left Honolulu last Sunday and will arrive in San Francisco tomorrow night. It is not improbable that she will be ordered to sail direct from San Francisco for Yokohama, cutting out Honolulu entirely. The vessel is due to sail from San Francisco January 23 and is due in Honolulu the afternoon of January 31, but the probabilities are that she will not come here at all.

H. Hackett & Company, the local agents of the Toyo Kisen Kaisha, have received no official advice regarding the requisition of the three boats and so far as they know the vessels are expected on schedule time. In case the vessels should be withdrawn other steamers may be chartered to replace them on this run.

There is moreover the chance that at least one of them may be captured by the Russian warships. The Hongkong Maru is evidently out of their reach and the Nippon will in all probability reach Yokohama without trouble, but there is danger that the America may be caught. She will have ample room, however in which to dodge about. The chances are that she will reach Yokohama safely and in time to do good service for the Japanese government.

APPROPRIATIONS RECOMMENDED

The following is a list of all the appropriations for the Territory of Hawaii recommended by the Secretary of the Interior:

U. S. Dist. Court Salaries:	
Judge	\$ 5,000
Clerk	3,000
Reporter	1,200
Governor, salary	5,000
Secretary, salary	3,000
Supreme Court:	
Chief Justice	5,500
2 Asso. Justices at \$5,000 each	10,000
Circuit Courts:	
Judges to June 30, 1905	23,500
Governor:	
Incidentals of Office	500
Private Secretary	2,000
Traveling Expenses	500
Lighthouses:	
To maintain existing lights	25,000
Quarantine System:	
Service	7,000
Construction of Building	80,000
For year ending July 30, 1904	107,000
Surveys and Resurveys (Dept. Com. & Labor)	107,000
Hawaii to have part:	
Naval Station:	
Clerk to Commandant	1,500
Clerk to Paymaster and General Storekeeper	1,300
Repairs and Preservation of Public Buildings	1,081.35
Smithsonian Institution & Natl. Mus:	
Ethnological Research in Hawaii and Tutuila	2,500
Naval Station, Hawaii:	
Naval Writer	1,017.25
One Messenger	730.00
Internal Revenue	12,500.00
Regarding the amount asked for ethnological researches in Tutuila and Hawaii, Secretary Shaw gives the following explanatory note:	
"The proposed researches in Hawaii and Tutuila may probably be regarded as urgent. An ethnologist of ability is	

now resident in Hawaii and can be employed to take charge of the work and a physical anthropologist should be employed or detailed to collaborate with him in making a record of the physical characters of a race destined soon to be obliterated as a type."

The Board of Supervisors approved the bond of Col. Curtis P. Lauken the county tax assessor and collector elect, yesterday afternoon. Mrs. Samuel Campbell-Parker and August Dreier qualified as sureties both in the sum of \$150,000 each.

THE BURNSIDE.

Alexander Cederlof who is in the typewriter supply business here, as a soldier in the Sixth Illinois Infantry, went from Charleston, South Carolina to Porto Rico, on the cableship Burnside, then an army transport. She had but recently been captured as a prize by the Yale and was hastily transformed into a transport. She took fifteen days to get from Charleston to Porto Rico, and sailed much of the distance without convoy. Troops from her were the first American soldiers to land in Porto Rico. Cederlof went ashore on the very first boat. He says that on this voyage the vessel frequently had such a bad list that the whole six hundred troops she carried were ordered from one side to the other, to keep her on an even keel.

COMMITTED FOR TRIAL.

Lau Fong Kee charged with embezzling about \$700 from the Gunst-Eakin Tobacco Company waived preliminary examination this morning in the police court and was committed to the circuit court for trial.

NEW ADVERTISEMENTS

NOTICE.

Notice is hereby given that from and after this date the Hawaiian Trust Co. Ltd., is no longer acting as General Agents for the Germania Life Insurance Company in this Territory.

HAWAIIAN TRUST CO. LTD.

C. H. COOKE,

Secretary.

Honolulu, T. H., Jan. 13, 1904.

LECTURE.

"On Samoa and Samoan Missions,"

by

MISS VALESCA SCHULTZE. For the benefit of fund to establish a German Home on the Molokai Settlement, on

MONDAY, JANUARY 18, 1904.

At 8 p. m. In the German School Building rear of German Church, Beretama Street.

TICKETS 50 CENTS. Can be had of members of the church and of Pastor Felmy.

BY AUTHORITY

SEALED TENDERS.

Sealed Tenders will be received by the Superintendent of Public Works until 12 M. of Monday the 8th of February for constructing 2 room school house at Halawa, Kohala, Hawaii.

Plans and specifications on file in office of Superintendent of Public Works Honolulu; in office of Dr. Bond, School Agent, Kohala and in office of E. E. Richards, Hilo, Hawaii.

The Superintendent reserves the right to reject any and all bids. Bids to be endorsed on envelope, "Tenders for 2 room school house, Halawa."

C. S. HOLLOWAY,

Superintendent of Public Works.

Department of Public Works,

January 14, 1904.

Administrator's Notice to Creditors.

The undersigned having been duly appointed administrator with the Will annexed of the Estate of Henry Loe, late of San Francisco, State of California, deceased.

Notice is hereby given to all persons having claims against said Estate to present the same duly authenticated, and with proper vouchers, if any exist, even if the claim is secured by mortgage upon real estate, to the undersigned, within six months from date or they will be forever barred.

B. F. DILLINGHAM, Administrator with the Will annexed of the Estate of Henry Loe, deceased. 5th-Dec. 17, 24, 31, Jan. 7, 14.

Election of Officers.

JAPANESE RICE MILL CO. LTD.

The fourth annual regular meeting of the Japanese Rice Mill Co., Ltd., was held on the 8th day of January, 1904, and the following officers and directors were elected to serve for the ensuing year:

Y. Suga President
D. Yonekura Vice-President
W. Motoshige Secretary
J. Takakura Treasurer
S. Kojima Auditor
S. Kimura Director and Manager
K. Kawahara Director
K. Odo Director
M. Katagihara Director
M. Murakami Director

W. MOTOSHIGE,

Secretary Japanese Rice Mill Co., Ltd.,

Honolulu.

Election of Officers.

At the annual meeting of the United Chinese Society held on January 1st, 1904, the following officers were elected to serve for the ensuing year:

C. K. Ai President.
Y. Koo Kan Vice-President.
Lau Tang Secretary.
C. Kan Horn Asst. Secretary.
Ho Fan Treasurer.
Lum Fai Asst. Treasurer.
LAU TANG, Secretary.

Honolulu, January 13, 1904.

Umbrellas AND Mackintoshes

LEVINGSTON'S Young Building